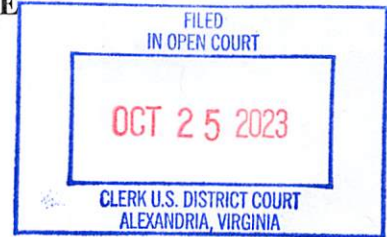


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

ELISHA JASON ALBERT,

Defendant.

Case No. 1:23-CR-172

Count 1: Production of Child Pornography
(18 U.S.C. § 2251(a) and (e))

Count 2: Attempted Coercion and Enticement of
a Minor to Engage in Illegal Sexual Activity
(18 U.S.C. § 2422(b))

Count 3: Travel with Intent to Engage in Illicit
Sexual Conduct (18 U.S.C. § 2423(b) and (e))

Count 4: Transportation of Child Pornography
(18 U.S.C. § 2252(a)(1) and (b)(1))

Forfeiture Notice

INDICTMENT

October 2023 Term—at Alexandria, Virginia

COUNT ONE
(Production of Child Pornography)

THE GRAND JURY CHARGES THAT:

On or about August 30, 2023, in Prince William County, Virginia, and elsewhere within the Eastern District of Virginia, the defendant, ELISHA JASON ALBERT, attempted to and did employ, use, persuade, induce, entice, and coerce a minor, MINOR VICTIM 1, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that the visual depiction would be transported or transmitted using any means or facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and that visual depiction was produced and transmitted using materials that had been

mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and that visual depiction had actually been transported and transmitted using any means and facility of interstate commerce and affecting interstate and foreign commerce, to wit: a video file depicting MINOR VICTIM 1 engaged in sexually explicit conduct, produced using an Apple iPhone 14, model A2649 [S/N HK56N673JK] and sent using the internet.

(All in violation of Title 18, United States Code, Section 2251(a) and (e).)

COUNT TWO
(Attempted Coercion and Enticement of a Minor)

THE GRAND JURY FURTHER CHARGES THAT:

Between on or about August 25, 2023, and on or about September 25, 2023, in Prince William County, Virginia, and elsewhere within the Eastern District of Virginia, the defendant, ELISHA JASON ALBERT, using any facility and means of interstate and foreign commerce, did knowingly attempt to persuade, induce, entice, and coerce any individual who had not attained the age of 18 years to engage in any sexual activity for which any person can be charged with a criminal offense, including Section 18.2-371(ii) of the Code of Virginia (causing or encouraging acts rendering children delinquent, abused, etc.).

(All in violation of Title 18, United States Code, Section 2422(b).)

COUNT THREE
(Travel with Intent to Engage in Illicit Sexual Conduct)

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 25, 2023, within the Eastern District of Virginia and elsewhere, the Defendant, ELISHA JASON ALBERT, traveled and attempted to travel in interstate commerce with a motivating purpose of engaging in any illicit sexual conduct with another person, to wit:

Title 18, United States Code, Section 2243.

(All in violation of Title 18, United States Code, Section 2423(b) and (e).)

COUNT FOUR
(Transportation of Child Pornography)

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 25, 2023, within the Eastern District of Virginia and elsewhere, the Defendant, ELISHA JASON ALBERT, knowingly transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, visual depictions, the production of which involved the use of a minor engaging in sexually explicit conduct, and such visual depictions were of such conduct, to wit: visual depictions contained on an Apple iPhone [S/N G6TG25L80DXT].

(All in violation of Title 18, United States Code, Section 2252(a)(1) and (b)(1).)

FORFEITURE NOTICE

THE GRAND JURY FURTHER FINDS THAT:

The defendant, ELISHA JASON ALBERT is hereby notified, pursuant to Federal Rule of Criminal Procedure 32.2(a), that upon conviction of Counts One or Four of the Indictment, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 2253: (1) any visual depiction described in 18 U.S.C. §§ 2251, 2251A, 2252, 2252A, 2252B, or 2260, and any matter that contains any such visual depiction, which was produced, transported, mailed, shipped, and received in violation of this chapter; (2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and (3) any property, real or personal, used or intended to be used to commit or to promote the commission of the offense, and any property traceable to such property.

The defendant, ELISHA JASON ALBERT is hereby notified, pursuant to Federal Rule of Criminal Procedure 32.2(a), that upon conviction of Counts Two or Three of the Indictment, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 2428(a): (1) the defendant's interest in any property, real or personal, constituting or derived from any proceeds he obtained, directly or indirectly, as a result of such violation; and (2) the defendant's interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation.

The property subject to forfeiture includes, but is not limited to, the following:

1. Apple iPhone [S/N G6TG25L80DXT].

If any property subject to forfeiture is unavailable, the United States may seek an order forfeiting substitute assets pursuant to Title 21, U.S. Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).

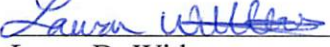
(All in accordance with Title 18, United States Code, Sections 2253 and 2428(a); Title 21 U.S. Code, Section 853(p); and Fed. R. Crim. P. 32.2(a) & 32.2(e).)

A TRUE BILL

Pursuant to the E-Government Act,
the original of this page has been filed
electronically in the Clerk's Office.

FOREPERSON

Jessica D. Aber
United States Attorney

By: 
Laura D. Withers
Assistant United States Attorney